

COUNTY OF YORK

MEMORANDUM

DATE: March 24, 2004 (BOS Mtg. 4/6/04)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. SE-11-04, Kenneth M. Gately

ISSUE

This application requests a Special Exception, pursuant to Section 24.1-231(b) of the Zoning Ordinance, to authorize an exemption to the height regulations for the IL (Limited Industrial) zoning district to allow a 100-foot increase in the height of an existing 250-foot self-supporting communications tower on property located at 210 Roy Lane. The subject property is located approximately 750 feet southeast of Fenton Mill Road adjacent to Interstate 64 and is further identified as Assessor's Parcel No. 005A-8-2.

DESCRIPTION

- Property Owner: Kenneth M. Gately
- Location: 210 Roy lane (Route F-280)
- Area: Approximately 15,000 square feet
- Frontage: Approximately 100 feet on Roy Lane and 100 feet on I-64
- Topography: Flat
- 2015 Land Use Map Designation: Low Density Residential
- Zoning Classification: IL – Limited Industrial
- Existing Development: Two self-supporting communications towers: one @ 350 feet; one @ 250 feet
- Surrounding Development:

Northwest: Undeveloped property zoned IL – Limited Industrial and nonconforming single-family residence

Northeast: RR-Rural Residential property – single family residences and nonconforming mobile home park

Southeast: Undeveloped property zoned IL – Limited Industrial and nonconforming single-family residence

Southwest: Interstate 64

- Proposed Development: 100-foot addition to an existing 250-foot communications tower/antenna; the additional height (350-foot tower) is needed to support the new York County-James City County-Williamsburg Regional Emergency Communications System.

CONSIDERATIONS/CONCLUSIONS

1. The proposed tower is part of a new network of towers and antennae being developed in York County and James City County to support the new emergency communications systems being developed and deployed.
2. This property has been used for many years as a communications tower site. There are two existing towers on the site – one at 350-feet and the other at 250-feet high. Both were legally established in accordance with all applicable County and other regulations. The 250-foot tower was engineered and constructed to accommodate the additional height now being proposed.
3. Communications towers up to 100 feet tall are permitted as a matter-of-right in the IL – Limited Industrial District. Section 24.1-231(b)(1) of the Zoning Ordinance provides an opportunity for the Board of Supervisors to authorize exemptions to the 100-foot height limitation, subject to reasonable conditions. In this case, the additional height is needed to ensure that the County's new communications system has complete and reliable coverage.
4. Providing enhanced communication capability through increasing the height of an existing tower, rather than constructing an additional tower, is consistent with the County's policy of promoting co-location. Given that one 350-foot tower is already located on the site, the visual impact of the increased tower height will be less than if were standing alone and isolated.

RECOMMENDATION

This proposed tower enhancement is an essential component of the County's (and region's) new emergency communications system. Its location somewhere in the vicinity of Roy Lane is an operational necessity. The location is already an established tower site and the 100-foot height increase for an existing tower will have far less visual impact than if a 350-foot tower were erected on a separate site. Therefore, based on the considerations and conclusions as noted, I recommend that the Board approve this application through the adoption of proposed Resolution R04-55.

Carter/3337

Attachments

- Vicinity Map
- Site Location Sketch
- Proposed Resolution R04-55